

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

BANK OF AMERICA, N.A.,

Plaintiff(s),

vs.

LOG CABIN PONDEROSA HOMEOWNERS  
ASSOCIATION, et al.,

Defendant(s).

Case No. 2:16-cv-00386-JCM-NJK

ORDER

(Docket Nos. 43, 47)

Pending before the Court is a filing by Defendant TRP Fund V, LLC in response to the order setting a hearing regarding subject matter jurisdiction. Docket No. 50. Among other things, that filing includes affidavits of TRP Fund V's members as to their state citizenship. *See id.* at 10-18. The Court finds this latest filing sufficient to establish the diversity of the parties in this case. Accordingly, the report and recommendation at Docket No. 43 is hereby **WITHDRAWN** and the hearing scheduled for August 2, 2016 is hereby **VACATED**. In addition, Plaintiff's motion to strike a response to the report and recommendation (Docket No. 47) is hereby **DENIED** as moot.

Lastly, the Court **CAUTIONS** Defendant TRP Fund V, LLC and its counsel, John Henry Wright, that they are required to fully comply with all orders and applicable rules moving forward. Failure to do so may result in the imposition of sanctions.

IT IS SO ORDERED.

DATED: July 26, 2016

  
NANCY J. KOPPE  
United States Magistrate Judge